

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW NICKELS,

Defendant.

Case: 2:23-cr-20434
Assigned To : Michelson, Laurie J.
Referral Judge: Patti, Anthony P.
Assign. Date : 7/26/2023 4:26 PM
Description: INDI USA V. SEALED MATTER (DA)

VIOLATION: 18 U.S.C. § 875(c)

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

18 U.S.C. § 875(c)

Transmitting Threats in Interstate Commerce

On or about November 10, 2020, in the Eastern District of Michigan, and elsewhere, the defendant, **ANDREW NICKELS**, for the purpose of issuing a threat to injure another person and with knowledge that the communication would be viewed as a threat to injure another person, knowingly transmitted a communication in interstate commerce containing a true threat to injure another person.

Specifically, **NICKELS** placed a telephone call to T.B., who was the Clerk of a local municipality, and left a voicemail in which he stated, in part, "We're watching your . . . mouth talk about how you think that there's no irregularities. . . . [Y]ou frauded out America of a real election Guess what, you're gonna pay for it,

you will pay for it. . . . [T]en million plus patriots will surround you when you least expect it, and your little infantile Deep State security agency has no time to protect you because they'll be bought out and we'll fucking kill you. . . . [Y]ou will fucking pay for your fucking lying ass remarks. . . . We will fucking take you out. Fuck your family, fuck your life, and you deserve a fucking throat to the knife. . . . Watch your fucking back. . . . watch your fucking back," in violation of Title 18, United States Code, Section 875(c).

A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

DAWN N. ISON
United States Attorney

s/ Daniel Hurley
DANIEL HURLEY
Chief, Criminal Division

s/ Frances Lee Carlson
FRANCES LEE CARLSON
Assistant U.S. Attorney

s/ Tanya Senanayake
TANYA SENANAYAKE
Trial Attorney, Counterterrorism Section
National Security Division
U.S. Department of Justice

Dated: July 26, 2023

United States District Court
Eastern District of Michigan

Criminal Case Cover Sheet

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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete the following information.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <i>FLC</i>

Case Title: USA v. Andrew Nickels

County where offense occurred : Oakland ✓

Check One: ☒ **Felony** ☐ **Misdemeanor** ☐ **Petty**

☒ Indictment/ ☐ Information --- **no** prior complaint.
☐ Indictment/ ☐ Information --- based upon prior complaint [Case number: _____]
☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ **Judge:** _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name


Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

July 26, 2023 ✓

Date


 Frances Lee Carlson
 Assistant United States Attorney
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 Attorney Bar #: P62624

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.